

<b>Committee:</b>	<b>Date:</b>
Licensing	20 October 2014
<b>Subject:</b> Delegated decisions of the Director of Markets and Consumer Protection pertaining to premises licences.	<b>Public</b>
<b>Report of:</b> Director of Markets and Consumer Protection	<b>For Information</b>
<p><b>Summary:</b></p> <p>This report details the premises licences, and variations to premises licences, granted under the Licensing Act 2003 by the Licensing Service from 1 July 2014 to 30 September 2014. It does not include any premises where Members have been involved in the decision making process i.e. decisions made at licensing sub-committee hearings.</p> <p>The report gives a summary of the enforcement action taken under the Licensing Act 2003 between 1 July 2014 and 30 September 2014. This report also presents data from the ‘traffic light’ risk scheme introduced within the City of London on 1 April 2013. The data covers the period 1 February 2014 to 31 July 2014.</p>	

## Main Report

### Premises Licence Applications

1. Pursuant to the instructions from your committee, I attach for your information a list detailing ‘premises licence’ applications (Appendix I) and variations (Appendix II) granted by the Licensing Service between 1 July 2014 and 30 September 2014.
2. The report also contains information appertaining to the number of personal licences issued. This information is also contained in Appendix II.
3. Any questions of detail concerning premises licences can be obtained from the Corporation’s public register which can be found on <http://www.cityoflondon.gov.uk/business/licensing/beer-and-entertainment/Pages/Search-the-public-register.aspx>. or by contacting Peter Davenport, Licensing Manager, on extension 3227 or by email to the Licensing Team at [licensing@cityoflondon.gov.uk](mailto:licensing@cityoflondon.gov.uk).

4. Appendix IV details the conditions attached to the premises licences listed in Appendices I and II.

### **Routine Enforcement**

5. This report also outlines the enforcement activity of the Licensing Service in relation to premises with a licence granted under the Licensing Act 2003 (Appendix III). The table in Appendix III shows the number of visits undertaken, number of complaints received and the number of enforcement actions taken. Enforcement actions include warning letters, notices, simple cautions, legal proceedings etc.
6. Appendix III provides data from 1 July 2014 to 30 September 2014.
7. Licensing Officers undertake routine enforcement visits checking on premises licence conditions where there are concerns, e.g. closing times, compliance with Temporary Event Notices and managing numbers of people consuming alcohol outside venues, and also in response to complaints. The Departmental Policy Statement on Enforcement is followed prior to escalating action and taking legal proceedings.
8. The Departmental Policy Statement on Enforcement conforms to the Regulators' Compliance Code and the regulatory principles required under the Legislative and Regulatory Reform Act 2006. It sets out the general principles and approach which Officers are expected to follow and addresses issues of proportionality, consistency, targeting, transparency and accountability.
9. More widely, enforcement arrangements are currently coordinated at the Licensing Liaison Partnership meetings that are held monthly and are attended by representatives from all enforcement agencies. Joint visits are organised via this forum and subsequent reports are used to add to the top level premises list that comprises those premises that have accrued the most points under the 'traffic light' risk scheme. These are then targeted by relevant enforcement officers.
10. This report details data produced from the 'traffic light' risk scheme for the period of 1 February 2014 to 31 July 2014. 7 premises have accrued a sufficient number of points to turn 'Red' and 5 premises a sufficient number to turn 'Amber'. Members of this committee will note that this is the first report where 'traffic light' data is produced over a six month period and not the normal twelve month period. Further details can be seen in Appendix V. Changes to the 'traffic light' scheme are detailed in a further report to this committee.

11. There is a very good working relationship between the Port Health & Public Protection (PH&PP) Licensing Team, The City of London Police Licensing Team and the PH&PP Pollution Control Team, all of whom are based at Walbrook Wharf.
12. The Memorandum of Understanding (MoU) between the City of London Police and the Markets and Consumer Protection Department agreed in November 2011 outlines specific arrangements for cooperation between the Licensing Teams.
13. The other City Corporation Department that is routinely involved in enforcement is the Department of the Built Environment (DoBE). Where it appears that a material change of use has occurred, or there is a failure to comply with any condition attached to a planning permission or a breach of planning controls, when it is expedient to do, officers from this Department seek authorisation to take enforcement action under the Town and Country Planning Act 1990.

### **Response to complaints**

14. Any complaints about licensed premises are dealt with by the relevant agency/team, e.g. crime and disorder – Police, fire safety – London Fire Brigade. As far as PH&PP are concerned, complaints relating to the conditions on a licence will be dealt with in the first instance by the Licensing Team, but if there are noise issues the Pollution Team will also be involved.
15. Investigations are undertaken and if there are grounds for a review of the licence in relation to the licensing objectives, then the responsible authorities can apply accordingly. In practice, potential applications are considered at the Licensing Liaison Partnership meetings, and agencies/authorities support one another in providing evidence and making applications.

### **Implications**

16. There are no financial, legal or strategic implications that arise from this report

### **Background Papers:**

None

### **Contact:**

Peter Davenport x3227

[peter.davenport@cityoflondon.gov.uk](mailto:peter.davenport@cityoflondon.gov.uk)

## Appendix I

### New Licence Applications Issued by way of Delegated Authority (Jul-Sep 2014)

Name	Address	Ward	Details
The Winemakers Club	41A Farringdon Street	Farringdon Within	A, (f) 23:00
Cheese Centre	52 Broadgate Link	Bishopsgate	A 21:00
Pilpel	5 Queens Head Passage	Bread Street	A 21:00
My Pasta Bar	201 Bishopsgate	Bishopsgate	A 22:00
Brand Finance PLC	3 Birchin Lane	Langbourn	A, L, (b), (e), (f) 00:00
Unit 2&3	60 Threadneedle Street	Walbrook	A, L, (e) 01:00
English Wine & Spirit Co	8 Devonshire Row	Bishopsgate	A, L, (f) 00:00
Etc Venues Ltd	8 Eastcheap	Bridge & Bridge W/O	A, (f) 23:00
BK News	42-44 Bishopsgate	Lime Street	A 22:00
Avalion	52-54 Bracechurch Street	Bridge & Bridge W/O	A, L, (e), (f) 23:30
Tesco	5 Philpot Lane	Bridge & Bridge W/O	A 23:00
Dutch Church	7-7A Austin Friars	Broad Street	A, L, (e), (f) 02:00
Hai Street Kitchen	38 Leadenhall Market	Langbourn	A 21:30
Picante Mexican Grill	8-12 New Bridge Street	Castle Baynard	A 22:30
Development Site (Provisional Statement)	40-45 Chancery Lane	Farringdon Without	A, (f) 00:00

Total Licences Issued = 15

Key to Details:

- |                            |                           |
|----------------------------|---------------------------|
| A Sale of Alcohol          | (e) Live Music            |
| L Late Night Refreshment   | (f) Recorded Music        |
| (a) Plays                  | (g) Performances of Dance |
| (b) Films                  | (h) Making Music          |
| (c) Indoor Sporting Events |                           |
| (d) Boxing or Wrestling    |                           |

Times stated are the latest terminal hour for at least one of the licensable activities.

#### Number of Licences by Ward

WARD	No.
Bishopsgate	3
Bread Street	1
Broad Street	1
Bridge and Bridge Without	3
Broad Street	1
Castle Baynard	1
Langbourn	2
Lime Street	1
Farringdon Within	1
Farringdon Without	1

## Appendix II

### Licence Variations Issued by way of Delegated Authority (Jul-Sep 2014).

Name	Address	Ward	Details
Liberty Bounds	15 Trinity Square	Tower	<ul style="list-style-type: none"> <li>• Add condition which has effect of reducing hours to midnight whilst paying the Late Night Levy</li> </ul>
Silk & Grain	33-35 Cornhill	Langbourn	<ul style="list-style-type: none"> <li>• Bring forward start time for alcohol sales from 10:00 to 07:00.</li> </ul>
The Green Man	1 Poultry	Cordwainer	<ul style="list-style-type: none"> <li>• Add condition which has effect of reducing hours to midnight whilst paying the Late Night Levy</li> </ul>
Crosse Keys	7 Gracechurch Street	Langbourn	<ul style="list-style-type: none"> <li>• Add condition which has effect of reducing hours to midnight whilst paying the Late Night Levy</li> </ul>
Hamilton Hall	Liverpool Street Station	Bishopsgate	<ul style="list-style-type: none"> <li>• Add condition which has effect of reducing hours to midnight whilst paying the Late Night Levy</li> </ul>
Burger Lobster	1 Bread Street	Cordwainer	<ul style="list-style-type: none"> <li>• All licensable activities reduced from 01:00 to 00:00 but brought forward from 11:00 to 08:00. Also later terminal hour on Sunday from 22:00 to 00:00. Alcohol sales before 10:00 must be with food.</li> </ul>

Total Variations = 6

#### Number of Licences by Ward

WARD	No.
Bishopsgate	1
Cordwainer	2
Langbourn	2
Tower	1

#### **Personal Licences Issued by way of Delegated Authority**

01 Jul 2014 – 30 Sep 2014      0

### Enforcement Action Carried out Under the Licensing Act 2003 1 July 2014 - 30 September 2014

Total Number of Inspections	33
Number of Warning Letters	2
Number of Premises advised	12
Number of simple cautions	0
Number of suspension notices	49
Paid prior to suspension	19
Licence lapsed*	0
‘Dead’ Suspensions**	1
‘Live’ Suspensions***	2
Still to be determined	27

\*Licences are deemed lapsed in circumstances where the licence holder no longer exists e.g. a company has gone into liquidation.

\*\*A ‘dead’ suspension is where the premises is closed but there is no evidence to suggest that the licence holder is still in existence. If the licence holder returns to the premises the outstanding fee will have to be paid in order for the licence to be resurrected.

\*\*\*A ‘Live’ suspension is where the premises is still trading and can now no longer carry on licensable activities until the licence fee has been paid.

**NB.**

**In addition to the above the Licensing Team are currently investigating a number of issues most of which are likely to end in legal proceeding’s being instigated. The matters under investigation are as follows:**

- 8 premises are being investigated for selling alcohol to persons under the age of 18. This was an exercise carried out by the Police Licensing Team using police cadets to carry out test purchases.
- 1 premises for not having a DPS. Simple caution issued but not yet signed.
- 1 premises for selling alcohol without a licence. They do now have a licence but were warned at the time not to sell until licence issued.
- 1 premises for operating an unlicensed SEV. Premises now appear closed but matter is at early stages of investigation.

## Number of complaints received between 01 July 2014 and 30 September 2014

No of Complaints = 31

<u>Details</u>	<u>Date</u>	<u>Outcome</u>	<u>Ward</u>
ABC Bar/Restaurant, 7-9 Norwich Street noise from SYN Bar. Noise echoes through wall/bouncers are loud.	29/09/2014	On-going	Farringdon Without
Ask for Janice, 50-52 Long Lane downstairs playing music too loud, people are shouting/noisy	12/09/2014	On-going	Farringdon Within
Bart's Brewery, 66 West Smithfield noise from licenced premises, a live band playing	06/09/2014	On-going	Farringdon Within
Be At One, 16-18 Brushfield Street Complaint re noise from premises of Be At One	01/07/2014	Advice Given	Bishopsgate
Bird of Smithfield, 26 Smithfield Street Kitchen noise.	07/08/2014	Informally resolved	Farringdon Without
Noise From Outdoor Kitchen (banging, Shouting)	14/08/2014	Resolved/compliance	Farringdon Without
Noise from outdoor kitchen	14/08/2014	Resolved/compliance	Farringdon Without
Coq D'Argent, 1 Poultry loud music coming from the roof top terrace	03/08/2014	Resolved/compliance	Cordwainer
Crutched Friars, 39/41 Crutched Friars Noise from patrons	14/08/2014	Resolved/compliance	Tower
Devonshire Square Music noise from restaurant in New Street.	20/09/2014	No action required	Bishopsgate
Grand Union Public House, Rolls Passage patrons talking and shouting outside the premises	17/07/2014	Resolved/compliance	Farringdon Without
Noise from Patrons outside on 29th	30/08/2014	Resolved/compliance	Farringdon Without
Grange St Pauls Hotel, 10 Godliman Street Email rec'd re: Noise Complaint	08/09/2014	Resolved/compliance	Castle Baynard
La Piazzetta, 5 White Kennett Street Music breakout from premises	27/08/2014	Informally resolved	Portsoken
Amplified Music	27/08/2014	Informally resolved	Portsoken
Madison, Roof Terrace Restaurant, 1 New Change loud music. called last night about same noise nuisance	18/07/2014	Resolved/compliance	Bread Street
Music noise from Madison Bar roof terrace	22/08/2014	On-going	Bread Street
loud music coming from top floor	26/07/2014	Resolved/compliance	Bread Street
Neo Pizzeria, 131 Aldersgate Street shouting and music from the Neo wine bar	04/08/2014	Informally resolved	Farringdon Within
Patch, 58-62 Carter Lane music break-out and people noise from premises.	18/07/2014	Resolved/compliance	Farringdon Within

Pause Bar, 80-84 Leadenhall Street			
Residents disturbed by customers leaving at 4 and 5am. Noisy/rude	22/07/2014	Resolved/compliance	Aldgate
The Brewery on Chiswell Street, 52 Chiswell Street			
loud music. Told resident would turn noise down but didn't	18/07/2014	No action required	Coleman Street
Noisy	24/07/2014	No action required	Coleman Street
The George And Vulture, 2-3 Castle Court			
Noise from bottle collections at 5.45 in the morning	23/07/2014	Resolved/compliance	Langbourn
The Jugged Hare, 49 Chiswell Street			
noise from people outside	30/09/2014	No action required	Coleman Street
The Old Bengal Warehouse, 16A New Street			
Music breakout causing disturbance	05/07/2014	Advice given	Bishopsgate
Music breakout from premises	06/07/2014	Informally resolved	Bishopsgate
The St Barts Brewery, 66 West Smithfield			
Live band, open door and dozens of very loud people on pavement.	01/08/2014	On-going	Farringdon Within
Loud Music coming from licenced premises.	12/07/2014	On-going	Farringdon Within
Loud music from St Bart's Brewery	28/08/2014	Informally resolved	Farringdon Within
Voluptm Lounge, 7-9 Norwich Street			
People noise from patrons outside bar	25/07/2014	Resolved/compliance	Farringdon Without

### **Outcome Code**

**No action required** - Complaint unjustified.

**Informally Resolved** - Complaint justified but not statutorily actionable - informal action taken results in satisfactory outcome.

**Resolved / Compliance** - Complaint justified and statutorily actionable; formal or informal action taken results in satisfactory outcome.

**Unresolved** - Noise not reduced or controlled, nor have preventive measures to prevent recurrence been implemented.



Conditions Applied to Licences Granted by way of Delegated Authority

**NEW APPLICATIONS**

**The Winemakers Club**

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment, will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the police or the Licensing Authority recordings of the preceding two days immediately when requested.

**Cheese Centre**

None.

**Pilpel**

None

**My Pasta Bar**

None.

**Brand Finance**

None.

**Unit 2&3**

1. The premises shall install and maintain a CCTV system. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the police or the Licensing Authority recordings immediately when requested.

2. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

**English Wine & Spirit Co**

1. The premises shall install and maintain a CCTV system. Coverage shall be provided of all internal areas to which the public have access and areas immediately outside the premises. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 28 days with date and time stamping.

**Etc Venues**

None.

**BK News**

1. There shall be no self-service of spirits on the premises.

**Avalion**

1. The premises shall install and maintain a comprehensive CCTV system. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public.

2. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

**Tesco**

None

**Dutch Church**

None

**Hai Street Kitchen**

None

**Picante Mexican Grill**

None

**Development Site**

None

**VARIATIONS**

**Liberty Bounds**

1) This premises licence will not authorise the supply of alcohol at any time during the late night supply period of any late night levy which may apply in the City of London Licensing Authority area where the late night supply period includes any time for which the premises licence would, save for this condition, authorise such supply.

**Silk & Grain**

None

**Green Man**

1) Same as for Liberty Bounds.

**Crosse Keys**

1) Same as for Liberty Bounds.

**Hamilton Hall**

1) Same as for Liberty Bounds.

**Burger Lobster**

None

## Appendix V

### Premises obtaining sufficient points on the Risk Scheme to reach Red or Amber. (February 2014 – July 2014)

#### **RED** (20 penalty points or at least 10 from one licensing objective)

1 – Bridge & Bridge Without (Crime and Disorder – 12, Public Nuisance - 12)	24
2 – Coleman Street (Crime and Disorder – 21)	21
3 – Lime Street (Crime and Disorder – 18)	18
4 – Cordwainer (Crime and Disorder – 16)	16
5 – Cornhill (Crime and Disorder – 13)	13
6 – Billingsgate (Crime and Disorder – 11)	11
7 – Castle Baynard (Crime and Disorder – 11)	11

Billingsgate	1	Coleman Street	1
B/B Without	1	Cordwainer	1
Castle Baynard	1	Cornhill	1
		Lime Street	1

**AMBER** (11 penalty points or at least 6 from one licensing objective)

1 – Bishopsgate (Crime and Disorder – 7, Public Safety - 2)	9
2 – Lime Street (Crime and Disorder – 8)	8
3 – Tower (Crime and Disorder – 6)	6
4 – Broad Street (Crime and Disorder – 6)	6
5 – Candlewick (Crime and Disorder – 6)	6

Bishopsgate	1
Broad Street	1
Candlewick	1
Lime Street	1
Tower	1